

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

JUN 02 2003

OFFICE OF  
MANAGING DIRECTOR

John D. Zimmerman, Esq.  
EOTT Energy Operating Limited Partnership  
EOTT Energy Pipeline Limited Partnership  
Post Office Box 4666  
Houston, Texas 77210-4666

Re: EOTT Energy Operating Limited Partnership  
EOTT Energy Pipeline Limited Partnership  
Request for Waiver of Application Fees Associated with the Pro  
Forma Assignment of Authorizations to EOTT Energy Operating  
Limited Partnership, Debtor-in-Possession and the Pro Forma  
Assignment of Authorizations to EOTT Energy Pipeline Limited  
Partnership, Debtor-in-Possession  
Fee Control No. 00000RROG-03-076

Dear Mr. Zimmerman:

This is in response to your letter dated February 6, 2003 submitted on behalf of EOTT Energy Operating Limited Partnership (EOTT Energy) and EOTT Energy Pipeline Limited Partnership (EOTT Pipeline) (collectively, EOTT) requesting a waiver of the filing fees in connection with the above-referenced applications. Our records reflect that you have paid the application fees at issue here. Specifically, EOTT Energy paid application filing fees of \$1,150.00 and \$50.00, and EOTT Pipeline paid an application filing fee \$3,580.00, for a total amount of \$4,780.00.

In support of your request for relief, you submitted copies of the petitions for bankruptcy that EOTT Energy and EOTT Pipeline filed on October 8, 2002 with the United States Bankruptcy Court for the Southern District of Texas (Bankruptcy Court) and the "Order Confirming Joint Chapter 11 Plan of the [EOTT] Debtors" that the Bankruptcy Court signed on February 18, 2003. You also submitted copies of the FCC Forms 603 ("FCC Wireless Telecommunications Bureau Application for Assignments of Authorization and Transfers of Control") and the associated Schedules A that EOTT Energy and EOTT Pipeline filed with the Commission on February 26, 2003. These applications are for the pro forma assignment of authorizations from EOTT Energy to EOTT Energy Operating Limited Partnership, Debtor-in-Possession, and from EOTT Energy to EOTT Energy Operating Limited Partnership, Debtor-in-Possession.

Section 1.1117 of the Commission's rules, 47 C.F.R. §1.1117, provides that filing fees may be waived upon a showing of good cause and a finding that the public interest will be served thereby. *See Establishment of a Fee Collection Program to Implement the*

*Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985*, 5 FCC Rcd 3558, 3572-73 (1990). Section 1.1117(e) of the rules, 47 C.F.R. §1.1117(e), requires an applicant seeking a waiver of the filing fee requirement to include the applicable fee with its waiver request, and also provides that the fee will be returned if the waiver is granted. *See also id.*

We find that the bankruptcy filings involving EOTT Energy and EOTT Pipeline substantiate their claim of financial hardship and demonstrate good cause for waiver of the filing fees. *See MobileMedia Corporation*, 14 FCC Rcd 8017, 8027 (1999) (bankruptcy establishes good cause for waiver of filing fee). Moreover, waiver of the filing fees will serve the public interest by protecting the interests of innocent creditors. Therefore, your request for waiver of the application filing fees in connection with the above-referenced applications is granted.

A check made payable to the makers of the original checks, and drawn in the amount of \$4,780.00, will be sent to you at the earliest practicable time. If you have any questions concerning this letter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,

  
for Mark A. Reger  
Chief Financial Officer

John D. Zimmerman, Esq.  
EOTT Energy Operating Limited Partnership  
EOTT Energy Pipeline Limited Partnership  
Post Office Box 4666  
Houston, Texas 77210-4666

00000 R.R. 06-03-076

**EOTT ENERGY Operating Limited Partnership**



**eott energy**

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FCC

P.O. Box 4666  
Houston, Texas 77210-4666

February 6, 2003

Federal Communication Commission  
Secretary's Office  
Attn: Office of Managing Director  
445 12<sup>th</sup> St. SW  
Washington, DC 20554

ACCOUNT PROCESSING  
EOTT ENERGY/ET/ET/ET/ET

RECEIVED & INSPECTED

MAR 10 2003

FCC - MAILROOM

Re: Application and Regulatory Fee Waiver Request

Dear Sir or Madam:

Please be advised that EOTT Energy Operating Limited Partnership and EOTT Energy Pipeline Limited Partnership (collectively, "EOTT") filed voluntary petitions under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Texas, Corpus Christi Division on October 8, 2002 (the "Bankruptcy Filing").

Pursuant to the Bankruptcy Filing, EOTT is in the process of filing FCC Form 603 to transfer its call signs to the respective Debtor-In-Possession entities. In light of EOTT's Bankruptcy Filing and its ongoing attempts to preserve its estate and successfully emerge from bankruptcy, EOTT shall pay the required fees, but respectfully requests that any application and/or regulatory fees associated with the filing of Form 603 be waived by the FCC.

Once a fee waiver determination has been made, please provide written confirmation to EOTT at the address noted above, attention: Mr. John Zimmerman. In the event any additional information is required to make the fee waiver determination, please call Mr. Zimmerman at 713-993-5671.

Sincerely,

EOTT Energy Operating Limited Partnership  
EOTT Energy Pipeline Limited Partnership

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

FILE

JUN 02 2003

OFFICE OF  
MANAGING DIRECTOR

Micheal L. Parker  
President, DESERT 31 TELEVISION, INC.  
22720 S.E. 410<sup>th</sup> Street  
Enumclaw, Washington 98022

Re: Request for Waiver of FY 2001 Reg. Fee  
Fee Control No. 00000RROG-03-078

Dear Mr. Parker:

This is in response to your letter dated January 28, 2003, in which you supplement your earlier request for waiver of FY 2001 regulatory fees with information about the financial condition of Desert 31 Television, Inc. (Desert 31) for FY 2001. Specifically, you provide financial statements prepared by your accounting firm which show that as of September 30, 2001, the company had a retained deficit of \$523,616 and a net loss of \$234,786. The submission also shows that the deductions for depreciation totaled \$3,664 in FY 2001. You also state that you were the sole shareholder, officer, and director of Desert 31 during this period, that you did not receive a salary or expense reimbursements, and that you provided funding for the station's operations.

As we have stated previously, in establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995).

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

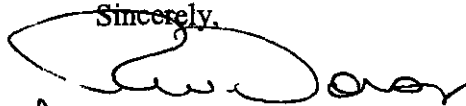
The documents you provide establish that Desert 31 Television had a net loss of \$234,786 in FY 2001. No salaries were paid to officers. Depreciation expenses were \$3,664. During 2001, the station had no income, and the funding of the station's operations came from the sole stockholder.


Micheal L. Parker, President

2.

The documents establish that Desert 31 had financial losses and a negative cash flow in FY 2001. Under these circumstances, Desert 31 has established a pattern of financial losses constituting a compelling case of financial hardship and meriting a waiver of the FY 2001 regulatory fees. Accordingly, we grant your request for waiver of the FY 2001 regulatory fees. If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Reger", written over a horizontal line.

 Mark A. Reger  
Chief Financial Officer

## Tom Putnam

---

**From:** Elizabeth Lyle  
**Sent:** Tuesday, May 13, 2003 8:39 AM  
**To:** Tom Putnam  
**Subject:** Re. Please review 'regfeewaiverdesert31two'



TEXT.htm (1 KB)

Good catch. I would phrase it slightly differently to avoid having a "run-on" sentence. Strike your new language and put a period at the end of the sentence ending "meriting a waiver of the FY 2001 regulatory fees. Then add, "Accordingly, we grant your request for waiver of the FY 2001 regulatory fees."

For Internal Use Only  
Privileged and Confidential  
Attorney Work Product of Elizabeth Lyle

>>> Tom Putnam 05/12/03 03:42PM >>>  
Please review the attached document.

I inserted text saying "granted" & updated the fee control number

Tom Putnam  
418-2992  
\*\*\* Non-Public: For Internal Use Only \*\*\*

Micheal L. Parker  
President, DESERT 31 TELEVISION, INC.  
22720 S.E. 410<sup>th</sup> Street  
Enumclaw, Washington 98022

Re: Request for Waiver of FY 2001 Reg. Fee  
Fee Control No. 0100278835764003

00000 R 206 .03 -078

Dear Mr. Parker:

This is in response to your letter dated January 28, 2003, in which you supplement your earlier request for waiver of FY 2001 regulatory fees with information about the financial condition of Desert 31 Television, Inc. (Desert 31) for FY 2001. Specifically, you provide financial statements prepared by your accounting firm which show that as of September 30, 2001, the company had a retained deficit of \$523,616 and a net loss of \$234,786. The submission also shows that the deductions for depreciation totaled \$3,664 in FY 2001. You also state that you were the sole shareholder, officer, and director of Desert 31 during this period, that you did not receive a salary or expense reimbursements, and that you provided funding for the station's operations.

As we have stated previously, in establishing its regulatory fee program, the Commission recognized that in certain instances payment of a regulatory fee may impose an undue financial hardship upon a licensee. Thus, the Commission decided to grant waivers or reductions of its regulatory fees in those instances where a "petitioner presents a compelling case of financial hardship." Implementation of Section 9 of the Communications Act, 9 FCC Rcd 5333, 5346 (1994), reconsideration granted, 10 FCC Rcd 12759 (1995).

In determining whether a licensee has sufficient revenues to pay its regulatory fees, the Commission relies upon a licensee's cash flow, as opposed to the entity's profits. Thus, although deductions for amortization and depreciation, which do not affect cash flow, and payments to principals, reduce gross income for tax purposes, those deductions also represent money which is considered to be available to pay the regulatory fee.

The documents you provide establish that Desert 31 Television had a net loss of \$234,786 in FY 2001. No salaries were paid to officers. Depreciation expenses were \$3,664. During 2001, the station had no income, and the funding of the station's operations came from the sole stockholder.

The documents establish that Desert 31 had financial losses and a negative cash flow in FY 2001. Under these circumstances, Desert 31 has established a pattern of financial losses constituting a compelling case of financial hardship and meriting a waiver of the FY 2001 regulatory fees. If you have any questions concerning this matter, please contact the Revenue & Receivables Operation Group at (202) 418-1995.

Sincerely,

Mark A. Reger  
Chief Financial Officer

here you  
request a waiver  
of FY 2001  
regulatory fees is  
submitted



**Tom Putnam**

---

**From:** Tom Putnam  
**Sent:** Monday, May 12, 2003 3:43 PM  
**To:** Elizabeth Lyle  
**Subject:** Please review 'regfeewaiverdesert31two'  
**Follow Up Flag:** Review  
**Flag Status:** Flagged

Please review the attached document.

I inserted text saying "granted" & updated the fee control number

Tom Putnam  
418-2992  
\*\*\* Non-Public For Internal Use Only \*\*\*

## **Tom Putnam**

---

**From:** Tom Putnam  
**Sent:** Monday, May 12, 2003 3:39 PM  
**To:** Elizabeth Lyle  
**Subject:** RE: desert 31 fee letter

Got it .. Can we add text that states that the request for waiver is "granted"?

Tom Putnam  
418-2992  
\*\*\* Non-Public: For Internal Use Only \*\*\*

-----Original Message-----

**From:** Elizabeth Lyle  
**Sent:** Wednesday, May 07, 2003 6:17 AM  
**To:** Tom Putnam  
**Subject:** Fwd: desert 31 fee letter

Actually I think this letter is in response to a letter that was sent to us from desert 31 after they received our jan. 18 letter.

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Privileged and Confidential  
Attorney Work Product of Elizabeth Lyle

-----Original Message-----

**Date:** 05/06/2003 03:22 pm -0400 (Tuesday)  
**From:** Elizabeth Lyle  
**To:** Tom Putnam  
**CC:** Rhonda Hill  
**Subject:** desert 31 fee letter

per your request.

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Privileged and Confidential  
Attorney Work Product of Elizabeth Lyle

0000000000 - 00 - 10

DEPT. OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D. C. 20535

**22720 S.E. 410<sup>TH</sup> STREET**

FAX: (360) 825-4517

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FEB - 6 2003  
FCC - MAILROOM

FEB - 6 2003

FCC - MAILROOM

January 28, 2003

Letter  
Patty  
3000 Hickler

Feb 7 11 44 PM '03


Re: *Desert 31 Television, Inc.,  
Regulatory Fee Waiver*

ASAC. MR. DIR.  
FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE

I have requested that my accounting firm prepare that information, and the firm has provided me with the attached financial statements. The statements show that as of September 30, 2001, the company — which had no business other than that of operating KVMD — has a retained deficit of \$523,616, all of which had come from my cash contributions. For the fiscal year, KVMD again had no revenues (just as in fiscal year 2000), and had operating expenses of \$234,786. During the fiscal year, none of the expense went to reimburse my expenses or pay any salary to me. Throughout the entire period, I was the sole shareholder, officer and director of Desert 31.

The attached financial statements amply demonstrate that notwithstanding the accident of geography and economics that placed KVMD in the Los Angeles television market, it operated as a completely nonprofit, very small-town television station. The operating results in Fiscal Year 2001 were no different than those in Fiscal 2000 or before that, before the license was granted. I believe that these financial statements show convincingly that a waiver of the regulatory fee is appropriate.

\_\_\_\_\_

  
Micheal L. Parker

## President

REC'D. PRO. BR.  
FEB 7 11 44 PM '03

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

JUN 02 2003

OFFICE OF  
MANAGING DIRECTOR

John D. Zimmerman, Esq.  
EOTT Energy Operating Limited Partnership  
EOTT Energy Pipeline Limited Partnership  
Post Office Box 4666  
Houston, Texas 77210-4666

Re: EOTT Energy Operating Limited Partnership  
EOTT Energy Pipeline Limited Partnership  
Request for Waiver of Application Fees Associated with the Pro  
Forma Assignment of Authorizations to EOTT Energy Operating  
Limited Partnership, Debtor-in-Possession and the Pro Forma  
Assignment of Authorizations to EOTT Energy Pipeline Limited  
Partnership, Debtor-in-Possession  
Fee Control No. 00000RROG-03-076

Dear Mr. Zimmerman:

This is in response to your letter dated February 6, 2003 submitted on behalf of EOTT Energy Operating Limited Partnership (EOTT Energy) and EOTT Energy Pipeline Limited Partnership (EOTT Pipeline) (collectively, EOTT) requesting a waiver of the filing fees in connection with the above-referenced applications. Our records reflect that you have paid the application fees at issue here. Specifically, EOTT Energy paid application filing fees of \$1,150.00 and \$50.00, and EOTT Pipeline paid an application filing fee \$3,580.00, for a total amount of \$4,780.00.

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*Provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985, 5 FCC Rcd 3558, 3572-73 (1990). Section 1.1117(e) of the rules, 47 C.F.R. §1.1117(e), requires an applicant seeking a waiver of the filing fee requirement to include the applicable fee with its waiver request, and also provides that the fee will be returned if the waiver is granted. See also id.*

We find that the bankruptcy filings involving EOTT Energy and EOTT Pipeline substantiate their claim of financial hardship and demonstrate good cause for waiver of the filing fees. *See MobileMedia Corporation*, 14 FCC Rcd 8017, 8027 (1999) (bankruptcy establishes good cause for waiver of filing fee). Moreover, waiver of the filing fees will serve the public interest by protecting the interests of innocent creditors. Therefore, your request for waiver of the application filing fees in connection with the above-referenced applications is granted.

A check made payable to the makers of the original checks, and drawn in the amount of \$4,780.00, will be sent to you at the earliest practicable time. If you have any questions concerning this letter, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,

  
for Mark A. Reger  
Chief Financial Officer

John D. Zimmerman, Esq.  
EOTT Energy Operating Limited Partnership  
EOTT Energy Pipeline Limited Partnership  
Post Office Box 4666  
Houston, Texas 77210-4666

00000RR06-03-076

**EOTT ENERGY Operating Limited Partnership**



**eott energy**

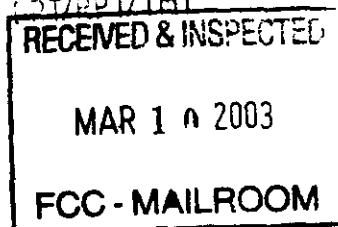
RECEIVED  
FCC

MAR 11 10 31 AM

ACCOUNT PROCESSING  
C-0001/PT/PT/MT

P O Box 4666  
Houston, Texas 77210-4666

February 6, 2003



Federal Communication Commission  
Secretary's Office  
Attn: Office of Managing Director  
445 12<sup>th</sup> St. SW  
Washington, DC 20554

Re: Application and Regulatory Fee Waiver Request

Dear Sir or Madam:

Please be advised that EOTT Energy Operating Limited Partnership and EOTT Energy Pipeline Limited Partnership (collectively, "EOTT") filed voluntary petitions under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Southern District of Texas, Corpus Christi Division on October 8, 2002 (the "Bankruptcy Filing").

Pursuant to the Bankruptcy Filing, EOTT is in the process of filing FCC Form 603 to transfer its call signs to the respective Debtor-In-Possession entities. In light of EOTT's Bankruptcy Filing and its ongoing attempts to preserve its estate and successfully emerge from bankruptcy, EOTT shall pay the required fees, but respectfully requests that any application and/or regulatory fees associated with the filing of Form 603 be waived by the FCC.

Once a fee waiver determination has been made, please provide written confirmation to EOTT at the address noted above, attention: Mr. John Zimmerman. In the event any additional information is required to make the fee waiver determination, please call Mr. Zimmerman at 713-993-5671.

Sincerely,

EOTT Energy Operating Limited Partnership  
EOTT Energy Pipeline Limited Partnership





## CORES

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Matches 1-8 (of 8)

Page 1

FRN	Registrant Name	Contact	Address	Registration Date
N/A <u>0002381051</u>	EOTT Energy Corp.		PO Box: C Chanute, KS 66720 United States	06/24/2000 09:05:43 PM
<u>0004248563</u> ✓	EOTT Energy Operating Limited Partnership		915 Hess Street PO Box: Drawer N Heidelberg, MS 39439 United States	12/13/2000 02:56:44 PM
<u>0004538989</u> ✓	EOTT ENERGY PIPELINE LIMITED PARTNERSHIP		PO Box: 4666 HOUSTON, TX 77210-4666 United States	05/22/2001 04:35:01 PM
N/A <u>0005865050</u>	EOTT Energy Pipeline Limited Partnership	Ms Aileen Pisciotta	1200 19th Street, NW Suite 500 Washington, DC 20036 United States	12/11/2001 07:24:23 PM
<u>0005865308</u> ✓	EOTT Energy Operating Limited Partnership	Aileen Pisciotta	1200 19th Street, NW Suite 500 Washington, DC 20036 United States	12/11/2001 08:15:26 PM
N/A <u>0007737836</u>	Eott Energy Pipeline limited Partnership	Mr Roy A Pitts	7321 N. Broadway Oklahoma City, OK 73116 United States	09/30/2002 01:06:02 PM
N/A <u>0008354037</u>	EOTT Energy Operating Limited Partnership, debtor-in-possession	Annette G Vogel	2000 W. Sam Houston Parkway S Suite 400 Houston, TX 77042-3611	01/30/2003 02:58:23 PM

**Tom Putnam**

**From:** John\_Zimmerman@eott.com  
**Sent:** Friday, April 25, 2003 10:17 AM  
**To:** Tom Putnam  
**Subject:** FCC Assignments of Authorization

Mr Putnam - Per your request, the email below recaps the fees paid by the various EOTT entities. Please call me if you have any additional questions Best Regards

John D. Zimmerman  
 Attorney  
 EOTT Energy LLC  
 P.O. Box 4666  
 Houston, Texas 77210-4666  
 Phone: 713-993-5671  
 Fax 713-402-2875  
 E-mail. john\_zimmerman@eott.com

----- Forwarded by John Zimmerman/Houston/Eott on 04/25/03 09 15 AM -----

Sherry Jackson

To Annette Vogel/Houston/Eott@Eott, John Zimmerman/Houston/Eott@Eott  
 cc  
 Subject FCC Assignments of Authorization

03/04/03 10 00 AM

I have completed the applications for EOTT OLP and PLP into debtor-in-possession. The cost was \$1,200.00 for OLP and \$3,580.00 for PLP (some of the call signs were charged \$50.00, some were charged \$220.00). I now have to send the hard copies of the applications to the FCC Office of Managing Director along with the fee waiver request letter.

The current file numbers are as follows.

EOTT Energy Operating LP - 0001212368	\$ 50.00
EOTT Energy Operating Limited Partnership - 0001212215	\$1,150.00
EOTT Energy Pipeline Limited Partnership - 0001218814	\$3,580.00

OK FAMIS  
 T Putnam  
 4/30/03

4/30/2003

<u>0008354110</u>	EOTT Energy Pipeline Limited Partnership, debtor-in-possession	Annette G Vogel	United States 2000 W Sam Houston Parkway S Suite 400 Houston, TX 77042-3611 United States	01/30/2003 03:05:49 PM
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Page 1

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You can email us at [CORES@fcc.gov](mailto:CORES@fcc.gov).

**RAMIS ACCOUNT RECEIVABLES**  
**Form 159 Receipt Report**

Fee Control No	Applicant FRN	Payer FRN	Payer Name	CD Date	Cell Sign	FCC Code 1	FCC Code 2	TIN Number	PTC	Fund	Quantity	Reported Line Amount
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	KKQ892		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	KNAZ531		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	KNBF623		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	KNBF627		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	KQV737		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNMM289		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNYB535		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WPBQ226		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WPCN978		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WPDZ236		0001218814	X00634997	PALM	FEE	1	\$50.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WAH723		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WAQ658		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WEE993		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WHI518		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WHI519		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WHI520		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WHI521		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNEH894		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNEP758		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNER461		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNET891		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNEX720		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNTV274		0001218814	X00634997	PEOM	FEE	1	\$220.00
0303048994899998	0008354110	0004538989	EOTT ENERGY PIPELINE LIMITED P	3/4/03	WNTV275		0001218814	X00634997	PEOM	FEE	1	\$220.00

Sub Total \$3,580.00

Grand Total \$3,580.00

**RAMIS ACCOUNT RECEIVABLES**  
**Form 159 Receipt Report**

Fee Control No	Applicant FIRN	Payee FIRN	Payee Name	CD Date	Call Sign	FCC Code 1	FCC Code 2	TR Number	PTC	Band	Quantity	Reported Line Amount
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KA24363		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KC2764		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KE1635		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KE1989		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KG2397		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KG2486		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KG2497		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KG2519		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KNF D716		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	KNH D669		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WGT380		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WNGN465		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WNVX363		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPLJH369		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPLJH467		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPLY318		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPTB370		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPTB289		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPLVJ742		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPRC428		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPRC429		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WPRC430		0001212215	760424498	PALM	FEE	1	\$50.00
0302268994895044	0004248563	0004248563	EOTT ENERGY OPERATING LIMITED	2/26/03	WSW460		0001212215	760424498	PALM	FEE	1	\$50.00

Sub Total \$1,150.00  
Grand Total \$1,150.00



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Page 1 of 1  
Thursday, May 01 2003 11:22 AM

# RAMIS ACCOUNT RECEIVABLES

## Form 159 Receipt Report

Fee Control No	Applicant FIRN	Payer FIRN	Payer Name	CD Date	Call Sign	FCC Code 1	FCC Code 2	TIN Number	PTC	Fund	Quantity	Reported Line Amount
0302268594695061	0004248563	0005865308	EOT ENERGY OPERATING LIMITED	2/28/03	WPLWZ73		0001212368	760424498	PALM	FEE	1	\$50.00

Grand Total \$50.00

## Tom Putnam

---

**From:** Tom Putnam  
**Sent:** Wednesday, April 30, 2003 5:03 PM  
**To:** Joanne Wall  
**Cc:** Allan Sacks  
**Subject:** RE: FW: FCC Assignments of Authorzation

I left you a voice mail concerning this matter. Let me know when you are available to meet with me to show you the results of my research

Tom Putnam  
418-2992

\*\*\* Non-Public: For Internal Use Only \*\*\*

-----Original Message-----

**From:** Joanne Wall  
**Sent:** Tuesday, April 29, 2003 11:36 AM  
**To:** Tom Putnam  
**Subject:** RE: FW: FCC Assignments of Authorization

Oh, yes, I do need the exact amounts. Thanks for looking into this for me, Tom'

Joanne F. Wall

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Privileged

>>> Tom Putnam 04/29/03 10:56AM >>>

Not exactly .. The fee payment information should be verified in our collections records before the letter gets finalized.

I can provide you with the results of that research if you like.

Tom Putnam  
418-2992

\*\*\* Non-Public: For Internal Use Only \*\*\*

-----Original Message-----

**From:** Joanne Wall  
**Sent:** Friday, April 25, 2003 10:37 AM  
**To:** Tom Putnam  
**Cc:** Allan Sacks  
**Subject:** Re: FW: FCC Assignments of Authorization

Based on your e-mail (and based upon my original question, which was whether EOTT Energy Operating Limited Partnership and EOTT Energy Pipeline Limited Partnership paid the fees associated with Fee Control No. 00000RROG-03-076), I will assume that the following is meant to mean that the amounts below correspond with the amounts at issue in that Fee Control Number. Thanks, Tom'

Joanne F. Wall

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For Internal Use Only  
Privileged

>>> Tom Putnam 04/25/03 10:24AM >>>

F Y I

Tom Putnam  
418-2992  
\*\*\* Non-Public: For Internal Use Only \*\*\*

-----Original Message-----

From: John\_Zimmerman@eott.com [mailto:John\_Zimmerman@eott.com]  
Sent: Friday, April 25, 2003 10:17 AM  
To: Tom Putnam  
Subject: FCC Assignments of Authorization

Mr. Putnam - Per your request, the email below recaps the fees paid by the various EOTT entities. Please call me if you have any additional questions. Best Regards

John D. Zimmerman  
Attorney  
EOTT Energy LLC  
P.O. Box 4666  
Houston, Texas 77210-4666  
Phone: 713-993-5671  
Fax: 713-402-2875  
E-mail: john\_zimmerman@eott.com

----- Forwarded by John Zimmerman/Houston/Eott on 04/25/03 09:15 AM -----

Sherry Jackson

03/04/03 10:00 AM

To: Annette Vogel/Houston/Eott@Eott, John  
Zimmerman/Houston/Eott@Eott  
cc:  
Subject: FCC Assignments of Authorization

I have completed the applications for EOTT OLP and PLP into debtor-in-possession. The cost was \$1,200.00 for OLP and \$3,580.00 for PLP (some of the call signs were charged \$50.00, some were charged \$220.00). I now have to send the hard copies of the applications to the FCC Office of Managing Director along with the fee waiver request letter.

The current file numbers are as follows:

EOTT Energy Operating LP - 0001212368	\$ 50.00
EOTT Energy Operating Limited Partnership - 0001212215	\$1,150.00
EOTT Energy Pipeline Limited Partnership - 0001218814	\$3,580.00



**Tom Putnam**

**From:** Tom Putnam  
**Sent:** Wednesday, April 30, 2003 4:52 PM  
**To:** 'John\_Zimmerman@eott.com'  
**Subject:** RE: FCC Assignments of Authorization  
 Thank you very much this is perfect !

Tom Putnam  
 Accountant  
 Revenue & Receivables Operations Group  
 Phone 202-418-2992  
 Fax 202-418-2843  
 \*\*\* Non-Public: For Internal Use Only \*\*\*

-----Original Message-----

**From:** John\_Zimmerman@eott.com [mailto:John\_Zimmerman@eott.com]  
**Sent:** Friday, April 25, 2003 10:17 AM  
**To:** Tom Putnam  
**Subject:** FCC Assignments of Authorization

Mr Putnam - Per your request, the email below recaps the fees paid by the various EOTT entities. Please call me if you have any additional questions. Best Regards

John D. Zimmerman  
 Attorney  
 EOTT Energy LLC  
 P.O Box 4666  
 Houston, Texas 77210-4666  
 Phone. 713-993-5671  
 Fax. 713-402-2875  
 E-mail: john\_zimmerman@eott.com

--- Forwarded by John Zimmerman/Houston/Eott on 04/25/03 09 15 AM ---

Sherry Jackson

To Annette Vogel/Houston/Eott@Eott, John Zimmerman/Houston/Eott@Eott

03/04/03 10 00 AM

cc  
 Subject FCC Assignments of Authorization

I have completed the applications for EOTT OLP and PLP into debtor-in-possession. The cost was \$1,200.00 for OLP and \$3,580.00 for PLP (some of the call signs were charged \$50.00, some were charged \$220.00). I now have to send the hard copies of the applications to the FCC Office of Managing Director along with the fee waiver request letter.

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EOTT Energy Pipeline Limited Partnership - 0001218814	\$3,580.00

## Tom Putnam

---

**From:** Joanne Wall  
**Sent:** Tuesday, April 29, 2003 11:36 AM  
**To:** Tom Putnam  
**Subject:** RE: FW: FCC Assignments of Authorization

Oh, yes, I do need the exact amounts. Thanks for looking into this for me, Tom!

Joanne F. Wall

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Privileged

>>> Tom Putnam 04/29/03 10:56AM >>>

Not exactly .. The fee payment information should be verified in our collections records before the letter gets finalized.

I can provide you with the results of that research if you like.

Tom Putnam  
418-2992

\*\*\* Non-Public: For Internal Use Only \*\*\*

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**Sent:** Friday, April 25, 2003 10:37 AM  
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**Cc:** Allan Sacks  
**Subject:** Re: FW: FCC Assignments of Authorization

Based on your e-mail (and based upon my original question, which was whether EOTT Energy Operating Limited Partnership and EOTT Energy Pipeline Limited Partnership paid the fees associated with Fee Control No. 00000RROG-03-076), I will assume that the following is meant to mean that the amounts below correspond with the amounts at issue in that Fee Control Number. Thanks, Tom'

Joanne F. Wall

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For Internal Use Only  
Privileged

>>> Tom Putnam 04/25/03 10:24AM >>>  
F Y I

Tom Putnam  
418-2992

\*\*\* Non-Public: For Internal Use Only \*\*\*

-----Original Message-----

**From:** John\_Zimmerman@eott.com [mailto:John\_Zimmerman@eott.com]  
**Sent:** Friday, April 25, 2003 10:17 AM  
**To:** Tom Putnam  
**Subject:** FCC Assignments of Authorization

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Attorney  
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Phone: 713-993-5671  
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E-mail: john\_zimmerman@eott.com

----- Forwarded by John Zimmerman/Houston/Eott on 04/25/03 09:15 AM -----

Sherry Jackson

03/04/03 10:00 AM

To: Annette Vogel/Houston/Eott@Eott, John  
Zimmerman/Houston/Eott@Eott  
cc:  
Subject: FCC Assignments of Authorization

I have completed the applications for EOTT OLP and PLP into debtor-in-possession. The cost was \$1,200.00 for OLP and \$3,580.00 for PLP (some of the call signs were charged \$50.00, some were charged \$220.00). I now have to send the hard copies of the applications to the FCC Office of Managing Director along with the fee waiver request letter.

The current file numbers are as follows:

EOTT Energy Operating LP - 0001212368  
EOTT Energy Operating Limited Partnership - 0001212215  
EOTT Energy Pipeline Limited Partnership - 0001218814

\$	50.00	✓
\$	1,150.00	✓
	\$3,580.00	✓

## Tom Putnam

---

**From:** Tom Putnam  
**Sent:** Thursday, May 01, 2003 11:06 AM  
**To:** Joanne Wall  
**Subject:** RE: FW: FCC Assignments of Authorization

Yes that's fine

Tom Putnam  
418-2992  
\*\*\* Non-Public: For Internal Use Only \*\*\*

-----Original Message-----

**From:** Joanne Wall  
**Sent:** Thursday, May 01, 2003 9:58 AM  
**To:** Tom Putnam  
**Subject:** RE: FW: FCC Assignments of Authorization

Tom,

Yes, it's EOTT that I discussed with Claudette. I'll be sending down to OMD a draft letter with the fee amounts included that I flag for your attention. If the dollar amounts are wrong, please change them. Sound good?

Joanne

>>> Tom Putnam 04/30/03 05:02PM >>>  
I left you a voice mail concerning this matter. Let me know when you are available to meet with me to show you the results of my research

Tom Putnam  
418-2992  
\*\*\* Non-Public: For Internal Use Only \*\*\*

-----Original Message-----

**From:** Joanne Wall  
**Sent:** Tuesday, April 29, 2003 11:36 AM  
**To:** Tom Putnam  
**Subject:** RE: FW: FCC Assignments of Authorization

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Tom Putnam  
418-2992  
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Cc: Allan Sacks  
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Joanne F. Wall

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>>> Tom Putnam 04/25/03 10:24AM >>>  
F Y I

Tom Putnam  
418-2992  
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Attorney  
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P.O. Box 4666  
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Phone: 713-993-5671  
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03/04/03 10:00 AM

To: Annette Vogel/Houston/Eott@Eott, John  
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cc:  
Subject: FCC Assignments of Authorization

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Managing Director along with the fee waiver request letter.

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EOTT Energy Operating Limited Partnership - 0001212215	\$1,150.00
EOTT Energy Pipeline Limited Partnership - 0001218814	\$3,580.00

FCC 603	FCC Wireless Telecommunications Bureau Application for Assignment of Control and Transfers of Control <div style="border: 2px solid black; padding: 5px; text-align: center;">           RECEIVED &amp; INSPECTED            MAR 10 2003            FCC - MAILROOM         </div>	Approved by OMB 3060 - 0800 See instructions for public burden estimate  Submitted 02/26/2003 at 03:49PM  File Number: <b>0001212215</b>
---------	--	---

1) Application Purpose Assignment of Authorization	
2a) If this request is for an Amendment or Withdrawal, enter the File Number of the pending application currently on file with the FCC	File Number:
2b) File numbers of related pending applications currently on file with the FCC	

**Type of Transaction**

3a) Is this a <i>pro forma</i> assignment of authorization or transfer of control? Yes
3b) If the answer to Item 3a is 'Yes', is this a notification of a <i>pro forma</i> transaction being filed under the Commission's forbearance procedures for telecommunications licenses? No
4) For assignment of authorization only, is this a partition and/or disaggregation? No
5a) Does this filing request a waiver of the Commission rules? If 'Yes', attach an exhibit providing the rule numbers and explaining circumstances No
5b) If a feeable waiver request is attached, multiply the number of stations (call signs) times the number of rule sections and enter the result.
6) Are attachments being filed with this application? Yes
7a) Does the transaction that is the subject of this application also involve transfer or assignment of other wireless licenses held by the assignor/transferor or affiliates of the assignor/transferor (e.g., parents, subsidiaries, or commonly controlled entities) that are not included on this form and for which Commission approval is required? Yes
7b) Does the transaction that is the subject of this application also involve transfer or assignment of <del>new</del> wireless licenses that are not included on this form and for which Commission approval is required? No

**Transaction Information**

8) How will assignment of authorization or transfer of control be accomplished? <b>bankruptcy</b> If required by applicable rule, attach as an exhibit a statement on how control is to be assigned or transferred, along with copies of any pertinent contracts, agreements, instruments, certified copies of Court Orders, etc
9) The assignment of authorization or transfer of control of license is <b>Involuntary</b>

**Licensee/Assignor Information**

10) FCC Registration Number (FRN) 0004248563			
11) First Name (if individual)	MI	Last Name	Suffix
12) Entity Name (if not an individual) <b>EOTT Energy Operating Limited Partnership</b>			
13) Attention To <b>Annette G. Vogel</b>			
14) P O Box <b>4666</b>	And / Or	15) Street Address <b>2000 West Sam Houston Parkway South, Suite 400</b>	
16) City <b>Houston</b>	17) State <b>TX</b>	18) Zip Code <b>77042-3611</b>	
19) Telephone Number <b>(713)9935320</b>		20) FAX Number <b>(713)4022646</b>	
21) E-Mail Address <b>annette.vogel@eott.com</b>			

**22) Race, Ethnicity, Gender of Assignor/Licensee (Optional)**

Race:	American Indian or Alaska Native	Asian	Black or African-American	Native Hawaiian or Other Pacific Islander	White
Ethnicity:	Hispanic or Latino	Not Hispanic or Latino			
Gender:	Female	Male			

**Transferor Information (for transfers of control only)**

23) FCC Registration Number (FRN)			
24) First Name (if individual)	MI	Last Name	Suffix
25) Entity Name (if not an individual)			
26) P.O. Box	And / Or	27) Street Address	
28) City		29) State	30) Zip Code
31) Telephone Number		32) FAX Number	
33) E-Mail Address			

**Name of Transferor Contact Representative (if other than Transferor) (for transfers of control only)**

34) First Name:	MI	Last Name:	Suffix:
35) Company Name			
36) P O Box.	And / Or	37) Street Address	
38) City		39) State	40) Zip Code
41) Telephone Number		42) FAX Number	
43) E-Mail Address			

**Assignee/Transferee Information**

44) The Assignee is a(n) Partnership			
45) FCC Registration Number (FRN) 0004248563			
46) First Name (if individual)	MI	Last Name	Suffix:
47) Entity Name (if other than individual): EOTT Energy Operating Limited Partnership, debt-in-possession			
48) Name of Real Party in Interest		49) TIN	
50) Attention To Annette G. Vogel			
51) P O Box 4666	And / Or	52) Street Address 2000 West Sam Houston Parkway South, Suite 400	
53) City Houston		54) State TX	55) Zip Code: 77042-3611
56) Telephone Number (713)9935320		57) FAX Number (713)402-2646	
58) E-Mail Address annette.vogel@eott.com			

**Name of Assignee/Transferee Contact Representative (if other than Assignee/Transferee)**

59) First Name	MI	Last Name	Suffix:
60) Company Name			
61) P O Box.	And / Or	62) Street Address	
63) City		64) State	65) Zip Code
66) Telephone Number		67) FAX Number	
68) E-Mail Address			

**Alien Ownership Questions**

69) Is the Assignee or Transferee a foreign government or the representative of any foreign government?	No
70) Is the Assignee or Transferee an alien or the representative of an alien?	No
71) Is the Assignee or Transferee a corporation organized under the laws of any foreign government?	No
72) Is the Assignee or Transferee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	No
73) Is the Assignee or Transferee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If 'Yes', attach exhibit explaining nature and extent of alien or foreign ownership or control	No

**Basic Qualification Questions**

74) Has the Assignee or Transferee or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission? If 'Yes', attach exhibit explaining circumstances	No
75) Has the Assignee or Transferee or any party to this application, or any party directly or indirectly controlling the Assignee or Transferee, or any	



party to this application ever been convicted of a felony by any state or federal court? If 'Yes', attach exhibit explaining circumstances	No
76) Has any court finally adjudged the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? If 'Yes', attach exhibit explaining circumstances	No
77) Is the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee currently a party in any pending matter referred to in the preceding two items? If 'Yes', attach exhibit explaining circumstances.	No

### 78) Race, Ethnicity, Gender of Assignee/Transferee (Optional)

Race:	American Indian or Alaska Native	Asian	Black or African-American	Native Hawaiian or Other Pacific Islander	White:
Ethnicity:	Hispanic or Latino	Not Hispanic or Latino			
Gender:	Female	Male			

### Assignor/Transferor Certification Statements

1) The Assignor or Transferor certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd 6293(1998)			
2) The Assignor or Transferor certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.			
79) Typed or Printed Name of Party Authorized to Sign			
First Name: Annette	MI: G	Last Name: Vogel	Suffix:
80) Title: Manager - Real Estate and Facilities Mgt			
Signature: Annette G Vogel		81) Date: 02/26/03	

### Assignee/Transferee Certification Statements

1) The Assignee or Transferee certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd 6293 (1998).	
2) The Assignee or Transferee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.	
3) The Assignee or Transferee certifies that grant of this application would not cause the Assignee or Transferee to be in violation of any pertinent cross-ownership, attribution, or spectrum cap rule. *If the applicant has sought a waiver of any such rule in connection with this application, it may make this certification subject to the outcome of the waiver request.	
4) The Assignee or Transferee agrees to assume all obligations and abide by all conditions imposed on the Assignor or Transferor under the subject authorization(s), unless the Federal Communications Commission pursuant to a request made herein otherwise allows, except for liability for any act done by, or any right accrued by, or any suit or proceeding had or commenced against the Assignor or Transferor prior to this assignment.	
5) The Assignee or Transferee certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	
6) The Assignee or Transferee certifies that neither it nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.	
7) The applicant certifies that it either (1) has an updated Form 602 on file with the Commission, (2) is filing an updated Form 602 simultaneously with this application, or (3) is not required to file Form 602 under the Commission's rules.	

### 82) Typed or Printed Name of Party Authorized to Sign

First Name: Annette	MI: G	Last Name: Vogel	Suffix:
83) Title: Manager - Real Estate and Facilities Mgt			
Signature: Annette G Vogel		84) Date: 02/26/03	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

### Authorizations To Be Assigned or Transferred

85) Call	86) Radio	87) Location	88) Path Number (Microwave)	89) Frequency	90) Lower or Center	91) Upper Frequency	92) Constructed
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Sign	Service	Number	only)	Number	Frequency (MHz)	(MHz)	Yes / No
KG2397	AL						Yes
KEJ969	AL						Yes
WGT360	AL						Yes
WSW460	AL						Yes
WPJH369	AL						Yes
WNGN485	AL						Yes
KGZ488	AL						Yes
KGZ497	AL						Yes
KNFD716	AL						Yes
WRC428	AL						Yes
WRC429	AL						Yes
WRC430	AL						Yes
KNHD669	AL						Yes
KC2764	AL						Yes
KGZ519	AL						Yes
KEJ635	AL						Yes
WNXV363	AL						Yes
KA54363	AL						Yes
WPTR269	AL						Yes
WPJH467	AL						Yes
WPLY318	AL						Yes
WPTB370	AL						Yes
WPVU742	AL						Yes

FCC Form 603  
Schedule A

Schedule for Assignments of Authorization  
and Transfers of Control in Auctioned Services

Approved by OMB  
3060 - 0800  
See instructions for public  
burden estimate

### Assignments of Authorization

#### 1) Assignee Eligibility for Installment Payments (for assignments of authorization only)

Is the Assignee claiming the same category or a smaller category of eligibility for installment payments as the Assignor (as determined by the applicable rules governing the licenses issued to the Assignor)?	No
If 'Yes', is the Assignee applying for installment payments?	

#### 2) Gross Revenues and Total Assets Information (if required) (for assignments of authorization only)

Refer to applicable auction rules for method to determine required gross revenues and total assets information

Year 1 Gross Revenues (current)	Year 2 Gross Revenues	Year 3 Gross Revenues	Total Assets
---------------------------------	-----------------------	-----------------------	--------------

#### 3) Certification Statements

For Assignees Claiming Eligibility as an Entrepreneur Under the General Rule

Assignee certifies that they are eligible to obtain the licenses for which they apply
---

For Assignees Claiming Eligibility as a Publicly Traded Corporation

Assignee certifies that they are eligible to obtain the licenses for which they apply and that they comply with the definition of a Publicly Traded Corporation, as set out in the applicable FCC rules
---

For Assignees Claiming Eligibility Using a Control Group Structure

--

Assignee certifies that they are eligible to obtain the licenses for which they apply

Assignee certifies that the applicant's sole control group member is a preexisting entity, if applicable

**For Assignees Claiming Eligibility as a Very Small Business, Very Small Business Consortium, Small Business, or as a Small Business Consortium**

Assignee certifies that they are eligible to obtain the licenses for which they apply

Assignee certifies that the applicant's sole control group member is a preexisting entity, if applicable

**For Assignees Claiming Eligibility as a Rural Telephone Company**

Assignee certifies that they meet the definition of a Rural Telephone Company as set out in the applicable FCC rules, and must disclose all parties to agreement(s) to partition licenses won in this auction. See applicable FCC rules

**Transfers of Control**

**4) Licensee Eligibility (for transfers of control only)**

As a result of transfer of control, must the licensee now claim a larger or higher category of eligibility than was originally declared?

If 'Yes', the new category of eligibility of the licensee is

**Certification Statement for Transferees**

Transferee certifies that the answers provided in Item 4 are true and correct.

**Attachment List**

Attachment Type	Date	Description	Contents
Other	02/26/03		Not Available
Other	02/26/03		Not Available

FCC 603	FCC Wireless Telecommunications Bureau Application for Assignment of Authorization and Transfers of Control <div style="border: 2px solid black; padding: 5px; text-align: center;">           RECEIVED &amp; INSPECTED            MAR 10 2003            FCC - MAILROOM         </div>	Approved by OMB 3060 - 0800 See instructions for public burden estimate  Submitted 03/04/2003 at 10:28AM  File Number: <b>0001218814</b>
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1) Application Purpose Assignment of Authorization	
2a) If this request is for an Amendment or Withdrawal enter the File Number of the pending application currently on file with the FCC	File Number
2b) File numbers of related pending applications currently on file with the FCC	

## Type of Transaction

3a) Is this a <i>pro forma</i> assignment of authorization or transfer of control? Yes
3b) If the answer to Item 3a is 'Yes', is this a notification of a <i>pro forma</i> transaction being filed under the Commission's forbearance procedures for telecommunications licenses? No
4) For assignment of authorization only, is this a partition and/or disaggregation? No
5a) Does this filing request a waiver of the Commission rules? If 'Yes', attach an exhibit providing the rule numbers and explaining circumstances No
5b) If a feeable waiver request is attached, multiply the number of stations (call signs) times the number of rule sections and enter the result.
6) Are attachments being filed with this application? Yes
7a) Does the transaction that is the subject of this application also involve transfer or assignment of other wireless licenses held by the assignor/transferor or affiliates of the assignor/transferor (e.g., parents, subsidiaries, or commonly controlled entities) that are not included on this form and for which Commission approval is required? Yes
7b) Does the transaction that is the subject of this application also involve transfer or assignment of nonwireless licenses that are not included on this form and for which Commission approval is required? No

## Transaction Information

8) How will assignment of authorization or transfer of control be accomplished? bankruptcy If required by applicable rule, attach as an exhibit a statement on how control is to be assigned or transferred, along with copies of any pertinent contracts, agreements, instruments, certified copies of Court Orders, etc.
9) The assignment of authorization or transfer of control of license is involuntary

## Licensee/Assignor Information

10) FCC Registration Number (FRN) 0004538989			
11) First Name (if individual)	MI	Last Name	Suffix
12) Entity Name (if not an individual) EOTT Energy Pipeline Limited Partnership			
13) Attention To Annette G. Vogel			
14) P O Box 4666	And / Or	15) Street Address 2000 West Sam Houston Parkway South, Suite 400	
16) City Houston	17) State TX	18) Zip Code 77042-3611	
19) Telephone Number (713)9935320		20) FAX Number (713)402-2646	
21) E-Mail Address annette.vogel@eott.com			

## 22) Race, Ethnicity, Gender of Assignor/Licensee (Optional)

Race:	American Indian or Alaska Native	Asian	Black or African-American	Native Hawaiian or Other Pacific Islander	White
Ethnicity:	Hispanic or Latino	Not Hispanic or Latino			
Gender:	Female	Male			

**Transferor Information (for transfers of control only)**

23) FCC Registration Number (FRN)			
24) First Name (if individual)	MI	Last Name	Suffix
25) Entity Name (if not an individual)			
26) P O Box	And / Or	27) Street Address	
28) City	29) State	30) Zip Code	
31) Telephone Number	32) FAX Number		
33) E-Mail Address			

**Name of Transferor Contact Representative (if other than Transferor) (for transfers of control only)**

34) First Name	MI	Last Name	Suffix
35) Company Name			
36) P O Box	And / Or	37) Street Address	
38) City	39) State	40) Zip Code	
41) Telephone Number	42) FAX Number		
43) E-Mail Address			

**Assignee/Transferee Information**

44) The Assignee is a(n) Partnership			
45) FCC Registration Number (FRN) 0008354110			
46) First Name (if individual)	MI	Last Name	Suffix
47) Entity Name (if other than individual) EOTT Energy Pipeline Limited Partnership, debtor-in-possession			
48) Name of Real Party in Interest			49) TIN
50) Attention To Annette G. Vogel			
51) P O Box 4666	And / Or	52) Street Address 2000 West Sam Houston Parkway South, Suite 400	
53) City Houston	54) State TX	55) Zip Code 77042-3611	
56) Telephone Number (713)9935320	57) FAX Number (713)4022646		
58) E-Mail Address annette.vogel@eott.com			

**Name of Assignee/Transferee Contact Representative (if other than Assignee/Transferee)**

59) First Name	MI	Last Name	Suffix
60) Company Name			
61) P O Box	And / Or	62) Street Address	
63) City	64) State	65) Zip Code	
66) Telephone Number	67) FAX Number		
68) E-Mail Address			

**Alien Ownership Questions**

69) Is the Assignee or Transferee a foreign government or the representative of any foreign government?	No
70) Is the Assignee or Transferee an alien or the representative of an alien?	No
71) Is the Assignee or Transferee a corporation organized under the laws of any foreign government?	No
72) Is the Assignee or Transferee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	No
73) Is the Assignee or Transferee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If 'Yes', attach exhibit explaining nature and extent of alien or foreign ownership or control	No

**Basic Qualification Questions**

74) Has the Assignee or Transferee or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission? If 'Yes', attach exhibit explaining circumstances	No
75) Has the Assignee or Transferee or any party to this application, or any party directly or indirectly controlling the Assignee or Transferee, or any	

party to this application ever been convicted of a felony by any state or federal court? If 'Yes' attach exhibit explaining circumstances	No
76) Has any court finally adjudged the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? If 'Yes' attach exhibit explaining circumstances	No
77) Is the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee currently a party in any pending matter referred to in the preceding two items? If 'Yes' attach exhibit explaining circumstances	No

## 78) Race, Ethnicity, Gender of Assignee/Transferee (Optional)

Race:	American Indian or Alaska Native	Asian	Black or African-American	Native Hawaiian or Other Pacific Islander	White
Ethnicity:	Hispanic or Latino	Not Hispanic or Latino			
Gender:	Female	Male			

## Assignor/Transferor Certification Statements

1) The Assignor or Transferor certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers See Memorandum Opinion and Order, 13 FCC Rcd 6293(1998)			
2) The Assignor or Transferor certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith			
79) Typed or Printed Name of Party Authorized to Sign			
First Name Annette	MI G	Last Name Vogel	Suffix
80) Title Manager- Real Estate and Facilities Mgt			
Signature Annette G Vogel		81) Date 03/04/03	

## Assignee/Transferee Certification Statements

1) The Assignee or Transferee certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers See Memorandum Opinion and Order, 13 FCC Rcd 6293(1998)	
2) The Assignee or Transferee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application	
3) The Assignee or Transferee certifies that grant of this application would not cause the Assignee or Transferee to be in violation of any pertinent cross-ownership, attribution, or spectrum cap rule * * If the applicant has sought a waiver of any such rule in connection with this application, it may make this certification subject to the outcome of the waiver request	
4) The Assignee or Transferee agrees to assume all obligations and abide by all conditions imposed on the Assignor or Transferor under the subject authorization(s), unless the Federal Communications Commission pursuant to a request made herein otherwise allows, except for liability for any act done by, or any right accrued by, or any suit or proceeding had or commenced against the Assignor or Transferor prior to this assignment	
5) The Assignee or Transferee certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith	
6) The Assignee or Transferee certifies that neither it nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification	
7) The applicant certifies that it either (1) has an updated Form 602 on file with the Commission, (2) is filing an updated Form 602 simultaneously with this application, or (3) is not required to file Form 602 under the Commission's rules	

## 82) Typed or Printed Name of Party Authorized to Sign

First Name Annette	MI G	Last Name Vogel	Suffix
83) Title Manager- Real Estate and Facilities Mgt			
Signature Annette G Vogel		84) Date 03/04/03	
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).			

## Authorizations To Be Assigned or Transferred

85) Call	86) Radio	87) Location	88) Path Number (Microwave)	89) Frequency	90) Lower or Center	91) Upper Frequency	92) Constructed
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Sign	Service	Number	only	Number	Frequency (MHz)	(MHz)	Yes / No
WNER461	AL						Yes
WPDZ236	AL						Yes
WNEH894	AL						Yes
WEE993	AL						Yes
WNTV274	AL						Yes
WNTV275	AL						Yes
WAH723	AL						Yes
KNAZ531	AL						Yes
WPCH978	AL						Yes
WNMM289	AL						Yes
KKQ892	AL						Yes
WHI521	AL						Yes
WPBQ226	AL						Yes
WNYB535	AL						Yes
WAQ658	AL						Yes
WHI518	AL						Yes
WHI519	AL						Yes
WHI520	AL						Yes
KQV737	AL						Yes
WNEP758	AL						Yes
WNET891	AL						Yes
WNEX720	AL						Yes
KNBF623	AL						Yes
KNBF627	AL						Yes

FCC Form 603  
Schedule A

Schedule for Assignments of Authorization  
and Transfers of Control in Auctioned Services

3060 - 0800  
See instructions for public  
burden estimate

### Assignments of Authorization

#### 1) Assignee Eligibility for Installment Payments (for assignments of authorization only)

Is the Assignee claiming the same category or a smaller category of eligibility for installment payments as the Assignor (as determined by the applicable rules governing the licenses issued to the Assignor)?	Yes
If 'Yes', is the Assignee applying for installment payments?	No

#### 2) Gross Revenues and Total Assets Information (if required) (for assignments of authorization only)

Refer to applicable auction rules for method to determine required gross revenues and total assets information

Year 1 Gross Revenues (current)	Year 2 Gross Revenues	Year 3 Gross Revenues	Total Assets
---------------------------------	-----------------------	-----------------------	--------------

#### 3) Certification Statements

For Assignees Claiming Eligibility as an Entrepreneur Under the General Rule

Assignee certifies that they are eligible to obtain the licenses for which they apply
---

For Assignees Claiming Eligibility as a Publicly Traded Corporation

Assignee certifies that they are eligible to obtain the licenses for which they apply and that they comply with the definition of a Publicly Traded Corporation, as set out in the applicable FCC rules
---

For Assignees Claiming Eligibility Using a Control Group Structure

Assignee certifies that they are eligible to obtain the licenses for which they apply
---

Assignee certifies that the applicant's sole control group member is a preexisting entity if applicable

**For Assignees Claiming Eligibility as a Very Small Business, Very Small Business Consortium, Small Business, or as a Small Business Consortium**

Assignee certifies that they are eligible to obtain the licenses for which they apply

Assignee certifies that the applicant's sole control group member is a preexisting entity if applicable

**For Assignees Claiming Eligibility as a Rural Telephone Company**

Assignee certifies that they meet the definition of a Rural Telephone Company as set out in the applicable FCC rules and must disclose all parties to agreement(s) to partition licenses won in this auction. See applicable FCC rules

## Transfers of Control

### 4) Licensee Eligibility (for transfers of control only)

As a result of transfer of control, must the licensee now claim a larger or higher category of eligibility than was originally declared?

If 'Yes', the new category of eligibility of the licensee is

### Certification Statement for Transferees

Transferee certifies that the answers provided in Item 4 are true and correct

### Attachment List

Attachment Type	Date	Description	Contents
Other	02/27/03	FCC Fee Waiver Letter	0178244677939535262363557.pdf



FCC 603	FCC Wireless Telecommunications Bureau Application for Assignment, Transfer of Control and Transfers of Control <div style="border: 1px solid black; padding: 5px; text-align: center;">           RECEIVED &amp; INSPECTED            MAR 10 2003            FCC - MAILROOM         </div>	Approved by OMB 3060 - 0800 See instructions for public burden estimate  Submitted 02/26/2003 at 04:24PM  File Number: 0001212368
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1) Application Purpose, Assignment of Authorization	
2a) If this request is for an Amendment or Withdrawal, enter the File Number of the pending application currently on file with the FCC	File Number
2b) File numbers of related pending applications currently on file with the FCC	

## Type of Transaction

3a) Is this a <i>pro forma</i> assignment of authorization or transfer of control? Yes
3b) If the answer to Item 3a is 'Yes', is this a notification of a <i>pro forma</i> transaction being filed under the Commission's forbearance procedures for telecommunications licenses? No
4) For assignment of authorization only, is this a partition and/or disaggregation? No
5a) Does this filing request a waiver of the Commission rules? If 'Yes', attach an exhibit providing the rule numbers and explaining circumstances. No
5b) If a feeable waiver request is attached, multiply the number of stations (call signs) times the number of rule sections and enter the result.
6) Are attachments being filed with this application? Yes
7a) Does the transaction that is the subject of this application also involve transfer or assignment of other wireless licenses held by the assignor/transferor or affiliates of the assignor/transferor (e.g., parents, subsidiaries, or commonly controlled entities) that are not included on this form and for which Commission approval is required? Yes
7b) Does the transaction that is the subject of this application also involve transfer or assignment of nonwireless licenses that are not included on this form and for which Commission approval is required? No

## Transaction Information

8) How will assignment of authorization or transfer of control be accomplished? bankruptcy If required by applicable rule, attach as an exhibit a statement on how control is to be assigned or transferred, along with copies of any pertinent contracts, agreements, instruments, certified copies of Court Orders, etc
9) The assignment of authorization or transfer of control of license is involuntary

## Licensee/Assignor Information

10) FCC Registration Number (FRN) 0005865308			
11) First Name (if individual):	MI	Last Name.	Suffix
12) Entity Name (if not an individual) EOTT Energy Operating LP			
13) Attention To Annette G. Vogel			
14) P O Box 4666	And / Or	15) Street Address 2000 West Sam Houston Parkway South, Suite 400	
16) City. Houston	17) State TX	18) Zip Code. 77042-3611	
19) Telephone Number: (713)9935320		20) FAX Number: (713)402-2646	
21) E-Mail Address annette.vogel@eott.com			

## 22) Race, Ethnicity, Gender of Assignor/Licensee (Optional)

Race:	American Indian or Alaska Native	Asian	Black or African-American	Native Hawaiian or Other Pacific Islander	White
Ethnicity:	Hispanic or Latino	Not Hispanic or Latino			
Gender:	Female	Male			

**Transferor Information (for transfers of control only)**

23) FCC Registration Number (FRN)			
24) First Name (if individual)	MI	Last Name	Suffix
25) Entity Name (if not an individual)			
26) P.O. Box	And / Or	27) Street Address	
28) City	29) State	30) Zip Code	
31) Telephone Number	32) FAX Number		
33) E-Mail Address			

**Name of Transferor Contact Representative (if other than Transferor) (for transfers of control only)**

34) First Name	MI	Last Name	Suffix
35) Company Name			
36) P.O. Box	And / Or	37) Street Address	
38) City	39) State	40) Zip Code	
41) Telephone Number	42) FAX Number		
43) E-Mail Address			

**Assignee/Transferee Information**

44) The Assignee is a(n): Partnership			
45) FCC Registration Number (FRN) 0004248563			
46) First Name (if individual)	MI	Last Name	Suffix
47) Entity Name (if other than individual) EOTT Energy Operating Limited Partnership, debt-in-possession			
48) Name of Real Party in Interest			49) TIN
50) Attention To: Annette G. Vogel			
51) P.O. Box 4666	And / Or	52) Street Address: 2000 West Sam Houston Parkway South, Suite 400	
53) City: Houston	54) State: TX	55) Zip Code 77042-3611	
56) Telephone Number (713)9935320	57) FAX Number (713)402-2646		
58) E-Mail Address annette.vogel@eott.com			

**Name of Assignee/Transferee Contact Representative (if other than Assignee/Transferee)**

59) First Name	MI	Last Name	Suffix
60) Company Name			
61) P.O. Box	And / Or	62) Street Address	
63) City	64) State	65) Zip Code	
66) Telephone Number	67) FAX Number		
68) E-Mail Address			

**Alien Ownership Questions**

69) Is the Assignee or Transferee a foreign government or the representative of any foreign government?	No
70) Is the Assignee or Transferee an alien or the representative of an alien?	No
71) Is the Assignee or Transferee a corporation organized under the laws of any foreign government?	No
72) Is the Assignee or Transferee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	No
73) Is the Assignee or Transferee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If 'Yes', attach exhibit explaining nature and extent of alien or foreign ownership or control.	No

**Basic Qualification Questions**

74) Has the Assignee or Transferee or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission? If 'Yes', attach exhibit explaining circumstances	No
75) Has the Assignee or Transferee or any party to this application, or any party directly or indirectly controlling the Assignee or Transferee, or any	No

party to this application ever been convicted of a felony by any state or federal court? If 'Yes', attach exhibit explaining circumstances	No
76) Has any court finally adjudged the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? If 'Yes', attach exhibit explaining circumstances	No
77) Is the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee currently a party in any pending matter referred to in the preceding two items? If 'Yes', attach exhibit explaining circumstances.	No

## 78) Race, Ethnicity, Gender of Assignee/Transferee (Optional)

Race:	American Indian or Alaska Native	Asian	Black or African-American	Native Hawaiian or Other Pacific Islander	White
Ethnicity:	Hispanic or Latino	Not Hispanic or Latino			
Gender:	Female	Male			

## Assignor/Transferor Certification Statements

1) The Assignor or Transferor certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd. 6293 (1998).			
2) The Assignor or Transferor certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.			
79) Typed or Printed Name of Party Authorized to Sign			
First Name	Annette	MI	G
Last Name	Vogel	Suffix	
80) Title Manager - Real Estate and Facilities Mgt			
Signature	Annette G Vogel	81) Date	02/26/03

## Assignee/Transferee Certification Statements

1) The Assignee or Transferee certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd. 6293 (1998).	
2) The Assignee or Transferee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.	
3) The Assignee or Transferee certifies that grant of this application would not cause the Assignee or Transferee to be in violation of any pertinent cross-ownership, attribution, or spectrum cap rule. *If the applicant has sought a waiver of any such rule in connection with this application, it may make this certification subject to the outcome of the waiver request.	
4) The Assignee or Transferee agrees to assume all obligations and abide by all conditions imposed on the Assignor or Transferor under the subject authorization(s), unless the Federal Communications Commission pursuant to a request made herein otherwise allows, except for liability for any act done by, or any right accrued by, or any suit or proceeding had or commenced against the Assignor or Transferor prior to this assignment.	
5) The Assignee or Transferee certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.	
6) The Assignee or Transferee certifies that neither it nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998, 21 U.S.C. § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.	
7) The applicant certifies that it either (1) has an updated Form 602 on file with the Commission, (2) is filing an updated Form 602 simultaneously with this application, or (3) is not required to file Form 602 under the Commission's rules.	

## 82) Typed or Printed Name of Party Authorized to Sign

First Name	Annette	MI	G	Last Name	Vogel	Suffix	
83) Title Manager - Real Estate and Facilities Mgt							
Signature	Annette G Vogel	84) Date		02/26/03			
WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).							

## Authorizations To Be Assigned or Transferred

85) Call	86) Radio	87) Location	88) Path Number (Microwave)	89) Frequency	90) Lower or Center	91) Upper Frequency	92) Constructed
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Sign	Service	Number	only	Number	Frequency (MHz)	(MHz)	Yes / No
WPLW273	AL						Yes

FCC Form 603 Schedule A	Schedule for Assignments of Authorization and Transfers of Control in Auctioned Services	Approved by OMB 3060 - 0800 See instructions for public burden estimate
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**Assignments of Authorization****1) Assignee Eligibility for Installment Payments (for assignments of authorization only)**

Is the Assignee claiming the same category or a smaller category of eligibility for installment payments as the Assignor (as determined by the applicable rules governing the licenses issued to the Assignor)?	Yes / No
If 'Yes', is the Assignee applying for installment payments?	

**2) Gross Revenues and Total Assets Information (if required) (for assignments of authorization only)**

Refer to applicable auction rules for method to determine required gross revenues and total assets information

Year 1 Gross Revenues (current)	Year 2 Gross Revenues	Year 3 Gross Revenues	Total Assets
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**3) Certification Statements****For Assignees Claiming Eligibility as an Entrepreneur Under the General Rule**

Assignee certifies that they are eligible to obtain the licenses for which they apply
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**For Assignees Claiming Eligibility as a Publicly Traded Corporation**

Assignee certifies that they are eligible to obtain the licenses for which they apply and that they comply with the definition of a Publicly Traded Corporation, as set out in the applicable FCC rules
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**For Assignees Claiming Eligibility Using a Control Group Structure**

Assignee certifies that they are eligible to obtain the licenses for which they apply
Assignee certifies that the applicant's sole control group member is a preexisting entity, if applicable

**For Assignees Claiming Eligibility as a Very Small Business, Very Small Business Consortium, Small Business, or as a Small Business Consortium**

Assignee certifies that they are eligible to obtain the licenses for which they apply
Assignee certifies that the applicant's sole control group member is a preexisting entity, if applicable.

**For Assignees Claiming Eligibility as a Rural Telephone Company**

Assignee certifies that they meet the definition of a Rural Telephone Company as set out in the applicable FCC rules, and must disclose all parties to agreement(s) to partition licenses won in this auction. See applicable FCC rules
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**Transfers of Control****4) Licensee Eligibility (for transfers of control only)**

As a result of transfer of control, must the licensee now claim a larger or higher category of eligibility than was originally declared?
If 'Yes', the new category of eligibility of the licensee is

**Certification Statement for Transferees**

Transferee certifies that the answers provided in Item 4 are true and correct.
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**Attachment List**

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Attachment Type	Date	Description	Contents
Other	02/26/03	FCC Fee Waiver Letter	0178243410733192365581820.pdf

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

In re:	§	(Chapter 11)
	§	
EOTT ENERGY PARTNERS, LP	§	CASE NO. 02-21730
	§	
EOTT ENERGY FINANCE CORP.	§	CASE NO. 02-21731
	§	
EOTT ENERGY GENERAL PARTNER, LLC	§	CASE NO. 02-21732
	§	
EOTT ENERGY OPERATING LIMITED PARTNERSHIP	§	CASE NO. 02-21733
	§	
EOTT ENERGY CANADA LIMITED PARTNERSHIP	§	CASE NO. 02-21734
	§	
EOTT ENERGY PIPELINE LIMITED PARTNERSHIP	§	CASE NO. 02-21735
	§	
EOTT ENERGY LIQUIDS, L.P.	§	CASE NO. 02-21736
	§	
EOTT ENERGY CORP.	§	CASE NO. 02-21788
	§	
	§	
Debtors	§	(Jointly Administered Under
	§	Case No. 02-21730)

**ORDER CONFIRMING JOINT CHAPTER 11 PLAN OF THE DEBTORS**

On February 12, 2003, the Court considered (i) the Third Amended Joint Chapter 11 Plan of the Debtors dated December 6, 2002; (ii) the Supplement/Amendment to Third Amended Joint Chapter 11 Plan of the Debtors and Glossary of Defined Terms filed on February 11, 2003 (the "Plan Amendment"); (iii) the Plan Documents on file in this bankruptcy case (the "Plan Documents"); and (iv) all amendments, modifications and supplements to such documents (the "Plan")<sup>1</sup> filed by EOTT Energy Partners, L.P.; EOTT Energy Finance Corp.; EOTT Energy

General Partner, LLC; EOTT Energy Operating Limited Partnership; EOTT Energy Pipeline Limited Partnership; EOTT Energy Canada Limited Partnership; EOTT Energy Liquids, L.P., and EOTT Energy Corp. (collectively, the "Debtors").<sup>2</sup> The Court finds that notice of the Plan is adequate under the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Rules and Orders of this Court. Based on the evidence presented, the arguments and representations of counsel, and the Findings of Fact and Conclusions of Law being entered along with this Order, the Court has determined that the Plan satisfies the applicable provisions of the Bankruptcy Code, and should therefore be confirmed. Accordingly, it is ORDERED that:

**I. Confirmation of the Plan**

1. The Plan is confirmed in its entirety, and all of the terms and conditions contained in the Plan, the Plan Amendment, and Plan Documents are approved, subject to the provisions of this Order.

2. All objections to confirmation of the Plan not withdrawn or otherwise resolved are expressly overruled.

**II. Effects of Confirmation of the Plan**

3. The provisions of the Plan and this Order are binding on the Debtors and each Claimholder, Interestholder, any interested party in this chapter 11 case, and any other Person receiving notice of the Plan or Confirmation Hearing, and their respective agents, heirs, successors, and assigns, regardless of whether such party voted to accept the Plan.

4. On entry of this Order, the Debtors and each of their respective directors, officers, general partners, managers, agents, and attorneys, along with the parties to the Exit Credit Facility,<sup>3</sup> are authorized to (i) effect any and all partnership/limited liability company

transactions contemplated in the Plan and (ii) on the Effective Date, take all necessary and appropriate steps to implement the terms of the Plan, the Plan Documents, and Exit Credit Facility (including the issuance, execution, delivery, filing, or recording of such financing statements or other records, security agreements, mortgages, deeds of trust, and other financing documents necessary to create, attach, perfect, and/or maintain the first priority of Lenders' liens or security interests with respect to the Collateral (as defined and described in the Exit Credit Facility), and including the payment of all fees and expenses and the satisfaction of all conditions precedent to closing required under the Exit Credit Facility), regardless of whether such actions are specifically referred to in the Plan, the Plan Documents, or the Exit Credit Facility, without the need for further shareholder, unitholder, partner, manager, director, officer, any other corporate approvals, or further order of the Court.

5. Except as otherwise provided in the Plan, this Order, the Enron Settlement Agreement, and/or the order dated November 22, 2002 approving the Enron Settlement Agreement, on confirmation of the Plan, the rights afforded in the Plan and the treatment of Claims and Equity Interests are in exchange for, and in complete satisfaction, discharge, and release of, all debts and Claims of any nature whatsoever against the Debtors and any of the Estate Property. Except as otherwise provided in the Plan, this Order, the Enron Settlement Agreement, and/or the order dated November 22, 2002 approving the Enron Settlement Agreement, on the Effective Date, the Debtors are discharged and released from any and all debts and Claims, including demands and liabilities that arose before the Effective Date, and all debts of the kind described in 11 U.S.C. §§ 502(g), 502(h), and 502(i), regardless of whether (i) a proof of claim based on such debt or Claim is filed or deemed filed under 11 U.S.C. § 501; (ii) a



Claim based on such debt is allowed under 11 U.S.C. § 502; or (iii) the holder of a Claim based on such debt has accepted the Plan. Except as otherwise provided in the Plan, this Order, the Enron Settlement Agreement, and/or the order dated November 22, 2002 approving the Enron Settlement Agreement, this Order is a judicial determination of a discharge of all Claims against, and other liabilities of, the Debtors. In accordance with 11 U.S.C. § 524, such discharge voids any judgment rendered against the Debtors to the extent it relates to a discharged debt or Claim, and operates as an injunction against the prosecution of any action against the Debtors or the Estate Property, to the extent it relates to a discharged debt or Claim.

6. Except as provided in the Plan, on the Effective Date, any judgment rendered against the Debtors, to the extent that such judgment is a determination of liability of the Debtors concerning any discharged debt or Claim, is rendered null and void.

7. Unless otherwise provided in the Plan or order of the Bankruptcy Court, any and all injunctions or automatic stays provided for in the Bankruptcy Case under 11 U.S.C. §§ 105 and 362, or otherwise, and in existence on the Confirmation Date, shall remain in full force and effect through the Effective Date.

8. Except as otherwise provided in the Plan, this Order, the Enron Settlement Agreement, and/or the order dated November 22, 2002 approving the Enron Settlement Agreement, at all times on and after the Effective Date, all Persons who have been, are, or may be holders of debts or Claims against, or Equity Interests in, the Debtors arising before the Effective Date, are enjoined from taking any of the following actions against or affecting the Debtors, their Estates, or the Estate Property, with respect to such debts, Claims, or Equity Interests (other than actions brought to enforce any rights or obligations under the Plan):

- (i) commencing, conducting, or continuing in any manner,

whether directly or indirectly, any suit, action, or other proceeding of any kind against the Debtors, their Estates, or the Estate Property (including all suits, actions, and proceedings pending as of the Closing Date, which shall be deemed to be withdrawn or dismissed with prejudice);

(ii) enforcing, levying, attaching, collecting, or otherwise recovering by any manner or means, whether directly or indirectly, any judgment, award, decree, or order against the Debtors, their Estates, or the Estate Property;

(iii) creating, perfecting, or otherwise enforcing in any manner, whether directly or indirectly, any Lien against the Debtors, their Estates, or the Estate Property;

(iv) asserting any subrogation or recoupment right of any kind, whether directly or indirectly, against any obligation due the Debtors, their Estates, or the Estate Property; and proceeding in any manner and in any place that does not conform to, or comply with, the provisions of the Plan.

### **III. Provisions Related to Executory Contracts**

9. In accordance with sections 5.1 and 5.2 of the plan, on the Effective Date, all Executory Contracts not identified on the Rejection Schedule (as amended) shall be assumed by the Debtors. The cure amounts identified in the Cure Payment Notice attached hereto as *Exhibit B* are approved and are binding on parties in interest receiving the Cure Payment Notice. Except as provided in the following paragraph, the Debtors shall not be liable for any cure amounts in connection with the assumption of a particular Executory Contract other than such cure identified on the Cure Payment Notice corresponding to such Executory Contract. On the Effective Date or as soon thereafter as practicable, the Debtors shall pay the cure amounts identified on the Cure Payment Notice under any Executory Contract being assumed by the Debtors, plus any amounts that may have become due under such Executory Contracts after January 20, 2003 and remain unpaid as of the Effective Date of the Plan.

10. Certain parties to Executory Contracts that are being assumed have provided notice to the Debtors that they assert cure amounts due them that were not included in the Cure Payment Notice. These parties are: (i) Railroad Management Company, LLC (\$10,795 cure asserted); Coast Energy Group (\$3,600 cure asserted); and Plains All-American Pipeline (\$1,300 cure asserted). The Debtors will attempt to amicably resolve with these parties whether their asserted cure amounts are valid and owing and, if the parties cannot resolve such issues, the Debtors or the named parties may seek a hearing before the Court to determine the unresolved issues. The Debtors and the named parties reserve all rights regarding the alleged cure amounts.

11. In accordance with sections 5.1 and 5.2 of the Plan, all Executory Contracts that are identified on the Rejection Schedule attached hereto as *Exhibit A* are rejected as of the Confirmation Date, and such Executory Contracts shall no longer represent the binding obligations of the Debtors after the Confirmation Date.

12. Notwithstanding any provision of the Plan or this Order, on the Effective Date, the Debtors shall assume any and all indemnification obligations they may have (whether arising pursuant to contract, applicable law, or otherwise) to their current officers and directors and the following former officers and directors: (i) Lawrence Clayton, former Chief Financial Officer; (ii) Susan Ralph, former Treasurer; (iii) Peggy B. Menchaca, former Secretary; (iv) Edward O. Gaylord, former director; (v) Dee S. Osborne, former director; and (vi) Daniel P. Whitty, former director.

#### **IV. Matters Relating to Implementation of the Plan**

13. All actions taken by the Debtors in connection with the formation of EOTT Energy LLC during the Bankruptcy Case are ratified and approved. In accordance with section

6.2.5 of the Plan, the following persons are approved as the initial board of directors of EOTT Energy LLC: (i) J. Robert Chambers, (ii) Julie H. Edwards, (iii) Thomas M. Matthews, (iv) Robert E. Ogle, (v) James M. Tidwell, (vi) S. Wil Von Loh, and (vii) Daniel J. Zaloudek.

14. On the Effective Date, the Debtors (except EOTT GP) and their respective Estates shall be substantively consolidated for purposes of distributions under the Plan. EOTT GP and its Estate will not be substantively consolidated and will remain distinct from the Consolidated Debtors. As a result of such substantive consolidation, (i) all Intercompany Claims by and among the Consolidated Debtors will be eliminated, (ii) any obligation of any of the Consolidated Debtors and all guarantees thereof executed by any of the Consolidated Debtors will be deemed to be an obligation of each of the Consolidated Debtors, (iii) any Claim filed or asserted against any of the Consolidated Debtors will be deemed a Claim against each of the Consolidated Debtors, (iv) for purposes of determining the availability of any right of setoff under Bankruptcy Code section 553, the Consolidated Debtors will be treated as one entity so that (subject to the other provisions of Bankruptcy Code section 553) debts due to any of the Consolidated Debtors may be offset against the debts owed by any of the Consolidated Debtors. On the Effective Date, and in accordance with the terms of the Plan, all Claims based on guarantees of collection, payment, or performance made by any Consolidated Debtor concerning the obligations of another Consolidated Debtor shall be discharged, released, and without further force or effect. To the extent applicable, all Claims by and between any Consolidated Debtor and EOTT GP will be treated pursuant to the Enron Settlement Agreement. The substantive consolidation of the Consolidated Debtors for distribution purposes shall not constitute or effectuate a merger of the corporate or other legal identities of the Consolidated Debtors, and the